

BEFORE THE LAND USE COMMISSION

STATE OF HAWAI'I

Action: A92-683 Halekua Development Corporation)

TRANSCRIPT OF PROCEEDINGS

The above-entitled matter came on for a Public Hearing
at Leiopapa A Kamehameha Bldg. #405, 235 S. Beretania
St, Honolulu, Hawai'i, commencing at 8:45 a.m. on
January 23, 2015 pursuant to Notice.

REPORTED BY: HOLLY M. HACKETT, RPR/CSR #130
Certified Shorthand Reporter

A P P E A R A N C E S

COMMISSIONERS:

COMMISSIONER ACZON

COMMISSIONER AHAKUELO

COMMISSIONER HIRANAGA

COMMISSIONER MAHI

CHAIRMAN McDONALD

COMMISSIONER SCHEUER

COMMISSIONER WONG

--00--

EXECUTIVE OFFICER: DAN ORODENKER

CHIEF CLERK: RILEY HAKODA

STAFF PLANNER: SCOTT DERRICKSON/BERT SARUWATARI

DEPUTY ATTORNEY GENERAL: DIANE ERICKSON, ESQ.

AUDIO TECHNICIAN: HOTAI ZERBA

For the Petitioner: STEVEN LIM, ESQ.
ONAONA THONE, Associate
ANN BOUSLOG, Representative

For the County DPP: RICHARD LEWALLEN
Deputy Corporation Counsel
MIKE WATKINS

For the State: BRYAN YEE, ESQ.
Deputy Attorney General
RODNEY FUNAKOSHI
OFFICE of PLANNING

1 CHAIR McDONALD: On the December 10
2 meeting, do I have a motion to approve?

3 COMMISSIONER WONG: Moved.

4 COMMISSIONER ACZON: Second.

5 CHAIR McDONALD: Moved by Commissioner
6 Wong, seconded by Commissioner Aczon. All those in
7 favor say aye.

8 Commissioners: "Aye"

9 CHAIR McDONALD: Any opposed? The minutes
10 are adopted. Mr. Orodenger, would you please give the
11 Commission's tentative meeting schedule.

12 MR. ORODENER: Thank you, Mr. Chair. The
13 tentative meeting schedule is February 4th. We will
14 have a site visit, DR14-52, Petition for Declaratory
15 Order to Designate Important Agricultural Lands.
16 That's Kamehameha Schools Bishop Estate.

17 On February 18, we will hear the Petition
18 for Declaratory Order designated for agricultural
19 lands. Both of those are here on O'ahu. A site visit
20 is on out on the site on the North Shore.

21 February 18th is the Airport Conference
22 Room.

23 March 4th to 5th we have at the airport,
24 Kona Airport, McClean Honokohau Properties Motion to
25 Amend Condition 'til March 4th, Waiawa PD State's

1 Special Use Permit on March 5th. That's the airport
2 here. March 25th tentatively we have a continuation
3 of the Waiawa State Special Permit SUP. And from
4 there the agenda is clear.

5 CHAIR McDONALD: Thank you, Mr. Orodener.

6 Okay. This is an action meeting on Docket
7 No. A92-683 Halekua Development Corporation, O'ahu to
8 consider Successor Petitioner to Parcel 53 Ho'ohana
9 Solar 1, LLC's Request to Withdraw Motion for Order
10 Bifurcating the Amended Findings of Fact, Conclusions
11 of Law and Decision and Order dated October 1st, 1996;
12 and to Consider Adoption of Order Granting Successor
13 Petitioner to Parcel 52 Ho'ohana Solar 1, LLC's Motion
14 for Order Amending Amended Findings of Fact,
15 Conclusions of Law and Decision and Order dated
16 October 1st, 1996. Will the parties please identify
17 themselves for the record.

18 MR. LIM: Good morning, Mr. Chair, Members
19 of the Commission. First for all, happy new year and
20 good to see you all in good health hopefully. I'm
21 here representing Ho'ohana Solar 1, LLC. Seated to my
22 right is Project Manager Ann Bouslog and to her right
23 my associate Onaona Thone.

24 CHAIR McDONALD: Good morning.

25 MR. LEWALLEN: Good morning, Chair,

1 Commission. Richard Lewallen on behalf of the
2 Department of Planning and Permitting. To my right is
3 Mike Watkins of the Department. Thank you.

4 CHAIR McDONALD: Good morning.

5 MR. YEE: Good morning. Deputy Attorney
6 General Bryan Yee on behalf of the Office of Planning.
7 With me is Rodney Funakoshi from the Office of
8 Planning.

9 CHAIR McDONALD: Morning. Let me update
10 the record. On November 21st, 2014 the Commission met
11 in Honolulu, Hawai'i and voted to grant Petitioner's
12 Motion to Amend Amended Findings of Fact, Conclusions
13 of Law and Decision and Order dated October 1st, 1996.

14 Also on that date the Commission received
15 OP's Exhibit 14-Stipulation to Proposed Conditions of
16 Approval for Ho'ohana Solar 1, LLC's Motion for Order
17 Amending the Findings of Fact, Conclusions of Law and
18 Decision and Order dated October 1st, 1996 and HRT,
19 Ltd. 300 Corporation, and Honolulu Limited's-
20 Stipulation Exhibits A to D, Exhibit 10, and a copy of
21 the Order Granting the Office of Planning's Amended
22 Motion to Exempt HRT, Ltd's Property from the Order to
23 Show Cause Granted on February 26, 2004, pursuant to
24 the Stipulation filed on December 30, 2003.

25 On November 24, 2014 the Commission

1 received Successor Petitioner's request to withdraw
2 Ho'ohana's Motion for Order Bifurcating the Amended
3 Findings of Fact, Conclusions of Law and Decision and
4 Order dated October 1st, 1996.

5 On December 9th, 2014, the Commission
6 received Successor Petitioner's Proposed Order
7 granting Successor Petitioner's Motion for Order
8 Amending the Amended Findings of Fact, Conclusions of
9 Law and Decision dated October 1st, 1996.

10 On December 19, 2014 the Commission
11 received Successor Petitioner's Notice of Compliance
12 with Condition of Amended Findings of Fact,
13 Conclusions of Law, and Decision and Order dated
14 October 1st, 1996.

15 On December 23rd, 2014 the Commission
16 received Successor Petitioner's Stipulation of
17 Proposed Findings of Fact, Conclusions of Law, and
18 Decision and Order, Exhibits A through B. This is
19 January now.

20 On January 15, 2015 the Commission mailed
21 the agenda for the January 23rd, 2015 meeting to the
22 parties and the statewide and O'ahu mailing list?
23 Also on this date the Commission received Successor
24 Petitioner's Letter of Explanation of Parties and
25 Landowners' positions.

1 On January 22nd, 2015 the Commission
2 received correspondence from Robinson Kunia Land,
3 LLC's representative regarding its position on the two
4 matters on the January 23rd, 2015 agenda. Okay.

5 Let me briefly describe the procedures for
6 today on this docket. First, I'll call those
7 individuals desiring to provide public testimony to
8 identify themselves. All such individuals will be
9 called in turn to the witness box where they will be
10 sworn in prior to their testimony.

11 After public testimony the Commission will
12 take up Successor Petitioner's request to withdraw
13 Ho'ohana's Motion for Order Bifurcating the Amended
14 Findings of Fact, Conclusions of Law and Decision and
15 Order dated October 1st, 1996.

16 After the request to withdraw the Motion
17 to Bifurcate has been disposed of, the Commission will
18 consider the adoption of Order Granting Successor
19 Petitioners to parcel 52, Ho'ohana Solar 1, LLC's
20 Motion for Order Amending the Amended Findings of
21 Fact, Conclusions of Law and Decision and Order dated
22 October 1st, 1996.

23 Is there anyone in the audience wishing to
24 provide public testimony this morning? Seeing none,
25 for the record, regarding the first agenda item the

1 Chair recognizes that the Petitioner informed the
2 Commission of Successor Petitioner's intent to
3 withdraw its Motion Bifurcating at the November 21st,
4 2014 meeting.

5 And then subsequently, on November 24,
6 2014 filed a written request to withdraw the motion.
7 Since the request to withdraw was not accompanied by a
8 request for hearing, no opposition has been filed by
9 any other party, and the request to withdraw the
10 motion does not finally dispose of the proceeding, the
11 Chair will treat this request to withdraw the Motion
12 to Bifurcate as a motion under the Commission's rule
13 section 15-15-70 Hawaii Administrative Rules. And as
14 authorized by that rule the Chair grants the request
15 to withdraw the Motion to Bifurcate.

16 The next item of business is the adoption
17 of Order to Amend the Amended Findings of Fact,
18 Conclusions of Law and Decision and Order dated
19 October 1st, 1996. Commissioners, before you is a
20 Form of the Order granting the Petition on this Docket
21 No. A92-683.

22 Ho'ohana's Proposed Order dated
23 December 23rd, 2014 as stipulated by Ho'ohana and OP
24 was used as a starting point for the Decision and
25 Order. The major differences between the Proposed

1 Order stipulated between Ho'ohana and OP and submitted
2 to the Commission and the document you have before you
3 is as follows: I'm just going to go through the
4 changes which was previously stipulated between OP and
5 the Petitioner for your information.

6 Stipulated Findings of Fact No. 6 was
7 amended to clarify language referencing a previous
8 Motion to Amend. Stipulated Findings of Fact 68 was
9 amended to recognize Ho'ohana Solar 1, LLC as having a
10 property interest and providing an explanation of what
11 entities make up Ho'ohana: Forest City and Hanwha
12 Solar.

13 Stipulated Finding of Fact No. 146 was
14 amended to delete the reference to a contractual
15 obligation between Ho'ohana and its landlord RKL
16 regarding decommissioning.

17 Stipulated Finding of Fact No. 166 was
18 amended to accurately reflect the language cited from
19 the LUC's 1996 Order in this Docket. Stipulated
20 Finding of Fact No. 216 was amended to delete language
21 regarding the automatic shutdown measures to be
22 installed, as there was no reference to this in either
23 of the references citing Petitioner's Exhibit 34B or
24 hearing transcript.

25 Stipulated Finding of Fact No. 227 was

1 amended to delete confusing and/or inaccurate language
2 regarding conformance with the State Plan.

3 Stipulated Finding of Fact No. 252 to
4 stipulated Finding of Fact 256, and stipulated Finding
5 of Fact 259 were deleted as unnecessary and/or
6 redundant.

7 Condition B7 was amended to include
8 language to now read as follows: "Decommissioning of
9 the Solar Farm. The solar farm shall be
10 decommissioned following its operational timeframe.
11 The decommission activities shall include but not be
12 limited to the removal of foundational piers as is
13 commercially feasible, and the complete removal of all
14 modules and associated components.

15 All metal components shall be recycled to
16 the extent commercially feasible, and Ho'ohana shall
17 minimize disposal of any solar farm components in any
18 landfill in the State of Hawai'i.

19 And any future use of Parcel 52 following
20 the decommissioning of the solar farm shall be subject
21 to the environmental review process promulgated under
22 HRS Chapter 343 as applicable, and shall require the
23 filing of a Motion to Amend the Decision and Order
24 with the Commission.

25 Such Motion to Amend shall include a

1 revised master development plan for Royal Kunia Phase
2 II, Increment 3 and shall further include, but not be
3 limited to a revised Traffic Impact Analysis Report,
4 Socio-Economic Analysis Report, Engineering Report,
5 Environmental Report, and Archaeological Inventory
6 Survey Report.

7 Language was included to reaffirm that the
8 conditions imposed under all the previous Halekua
9 Orders shall continue in full force and effect as they
10 pertain to the Petition Area and Parcel 52. And, that
11 the language regarding the stipulated agreement
12 between the Office of Planning and the HRT Entities
13 from 2003 and the Commission's February 23, 2004 Order
14 was retained as a footnote within the Order.

15 In addition non-substantive changes were
16 for style, clarity and to correct typos and update the
17 record. Commission, any questions on the Order and
18 the changes that I have just gone over? Seeing none
19 what's your pleasure on this matter?

20 COMMISSIONER WONG: Chair, I move to adopt
21 the Form of the Order and grant Ho'ohana's Motion to
22 Authorize the Interim use of parcel 52 as a solar farm
23 including all related utility and other infrastructure
24 for an operational period excluding decommissioning,
25 not to exceed 35 years from the date of this Findings

1 of Fact, Conclusions of Law and Decision and Order and
2 subject to the conditions imposed herein.

3 CHAIR McDONALD: We have a motion by
4 Commissioner Wong. Do we have a second?

5 COMMISSIONER MAHI: Second.

6 CHAIR McDONALD: Second by Commissioner
7 Mahi. Mr. Orodenger, will you poll the Commission.

8 MR. ORODENER: Thank you, Mr. Chair. The
9 motion is to adopt the Form of the Order subject to
10 conditions. Commissioner Wong?

11 COMMISSIONER WONG: Aye.

12 MR. ORODENER: Commissioner Mahi?

13 COMMISSIONER MAHI: Aye.

14 MR. ORODENER: Commissioner Scheuer?

15 COMMISSIONER SCHEUER: Aye.

16 MR. ORODENER: Commissioner Aczon?

17 COMMISSIONER ACZON: Aye.

18 MR. ORODENER: Commissioner Hiranaga?

19 COMMISSIONER HIRANAGA: Aye.

20 MR. ORODENER: Commissioner Ahakuelo?

21 COMMISSIONER AHAKUELO: Aye.

22 MR. ORODENER: Commissioner Song and
23 Commissioner Clendeninn are absent. Chair McDonald?

24 CHAIR McDONALD: Aye.

25 MR. ORODENER: Mr. Chair, the motion

1 passes unanimously.

2 CHAIR McDONALD: Thank you, Mr. Orodenker.
3 Thank you to the parties for your participation and
4 patience and the collaboration and getting this docket
5 through. Anyway, thank you and enjoy your new year.
6 Thank you. (9:01).

7 Before we move to the next agenda item I
8 failed to acknowledge LUC staff and their hard work
9 with assisting the Commission: Scott, Riley on the
10 docket.

11 Anyway, our next agenda item, the
12 appointment of a legislative subcommittee. As you are
13 all aware of there have been some statements made as
14 of recent with regards to the Land Use Commission in
15 its entirety.

16 So I think it makes sense for us to
17 appoint a legislative subcommittee not only to address
18 what has transpired in the last couple of days, but
19 also to kind of track and update the entire Commission
20 as to any type of legislative matters coming up this
21 session. So with that I guess I'll ask for any
22 nominations.

23 COMMISSIONER SCHEUER: Chair, could you
24 explain a little bit of the relationship of the
25 subcommittee to the overall body, and perhaps the

1 specific tasks that you might envision the
2 subcommittee taking on.

3 CHAIR McDONALD: Sure, sure, Commissioner.
4 For me I'll have Dan speak later on the matter. What
5 I was looking at was the subcommittee to track and
6 essentially update the Commission in general. I guess
7 to a certain point lobby on behalf of the Land Use
8 Commission.

9 So as far as the lobbying efforts at this
10 point I'm not up to speed as to what legislative
11 matters are coming up this session. It's probably
12 something that Dan could speak more towards.

13 It's more generally, you know, I'm not
14 expecting the entire Commission to -- it takes a lot
15 of time to track and follow legislative matters. What
16 I'm asking this subcommittee to do is to be more
17 engaged in the process and to report back to the
18 Commissioners. Dan, do you want to add anything else?

19 MR. ORODENKER: Thank you, Mr. Chair. The
20 genesis of this, we usually have not in the past had a
21 legislative committee, at least not since I've been
22 here. We got a recommendation from the Office of
23 Information Practices that this would be a good method
24 to follow. The difficulty that we have during the
25 legislative session is very often things change

1 rapidly. And there are decisions that need to be made
2 with regard to how to handle things that don't -- and
3 we don't have the time to post a hearing notice and
4 have the Commission as a whole meet. Very often we
5 have to turn things around in a couple days.

6 So one of the functions of this committee
7 would be to serve as policy advisor to staff, to
8 myself and how to handle a lot of these things. It
9 would allow for the committee to speak with each other
10 as long as they weren't deliberating towards a
11 decision, without having to file a Notice of Hearing
12 and do the whole Sunshine Law thing.

13 We do have a pressing issue as we're all
14 aware of that will need to be handled. You know,
15 discussions we have to be had with the legislators.
16 We also foresee a number of other minor things coming
17 up. We have some things with regard to how to it's
18 general to boards and commissions that would impact on
19 how this Commission operates which we would need
20 Commissioners' input on as well.

21 So that would basically be the functions
22 of the committee as we see right now. We also are
23 anticipating some other things to happen as the bill
24 filings come along.

25 CHAIR McDONALD: Good question,

1 Mr. Scheuer.

2 COMMISSIONER SCHEUER: Sorry. I'm not
3 trying to slow the process down.

4 CHAIR McDONALD: No, no, no. We want a
5 fast meeting. Commissioner Aczon.

6 COMMISSIONER ACZON: What are the
7 restrictions of this committee? You mentioned about
8 Sunshine Law. What do we have to watch out?

9 CHAIR McDONALD: Well, obviously the
10 Sunshine Law. I think the subcommittee is not going
11 to do any type of deliberations. Diane, you want to
12 speak?

13 MS. ERICKSON: I'm assuming this is an
14 investigative committee as recommended by OIP.

15 MR. ORODENKER: Yes.

16 MS. ERICKSON: The investigative committee
17 can meet without posting a notice with Sunshine Law.
18 But then if they have -- and they report back to the
19 Commission with their recommendations at one meeting
20 and then at the following meeting if they're
21 recommending that the Commission take action, then
22 that's when it would happen. So there would have to
23 be two meetings. Make one, a recommendation at the
24 first meeting and the Commission could act on the
25 second meeting.

1 COMMISSIONER ACZON: So within the
2 committee we can do deliberations to come with a
3 recommendation?

4 MS. ERICKSON: Yes. But it's not -- it
5 would not be deliberating as making the Commission's
6 decision. It's just your recommendation.

7 CHAIR McDONALD: Any other questions from
8 the Commissioners?

9 COMMISSIONER MAHI: Didn't we have
10 something like that at the Burial Council? We had an
11 ad hoc committee that would just report to us keeping
12 track of certain bills that were relative to the
13 actions and operations of Historic Preservation.

14 So it was pretty much just information
15 gathering, right? I think it's kinda simple. It
16 would be one to what you call lobby. I don't know
17 about that. Just to follow bills. And our particular
18 functions.

19 CHAIR McDONALD: Commissioner Mahi, good
20 point. Maybe not necessarily "lobby" is the wrong
21 term. It's more providing testimony.

22 COMMISSIONER SCHEUER: If I may.

23 CHAIR McDONALD: Commissioner Scheuer.

24 COMMISSIONER SCHEUER: If I may. Having
25 served at the same time as Mr. Mahi on the Burial

1 Council, the subcommittee provided information.

2 Excuse me. (off mic) The Commission would track the
3 Burial Council's subcommittee tracking legislation
4 would -- I can't remember if it was directly or
5 through the staff, inform people as bills and hearings
6 would come up before the rest of the Members of the
7 Commission that at least as individual Members of the
8 Land Use Commission they could avail themselves of
9 providing testimony which would be their own testimony
10 as a member of the Commission rather than a formal
11 statement of all, at that point, of all members of the
12 Burial Council.

13 So I'm envisioning that this group, while
14 we might make recommendations for action for the whole
15 board to take action on given the speed of the
16 Legislature, that one of its primary functions might
17 be to say: Hearing is coming up on this bill. This
18 bill appears to do X. Commissioners, please be aware
19 that a hearing is coming up and you're able to make,
20 provide testimony on that matter.

21 I think the other thing in this case would
22 be having some discussions about understanding the
23 implications of bills with the Commission staff. Is
24 that a fair characterization?

25 CHAIR McDONALD: I believe so,

1 Commissioner Scheuer. Thank you.

2 COMMISSIONER SCHEUER: If I may say one
3 other thing and stop me if it's beyond the scope of
4 this agenda item. But as to the proposal which has
5 been indirectly referred to from the Senate President
6 and with our new Governor indicating he was open to.

7 I think that it's not, you don't even have
8 to deliberate as a Commission whether or not we would,
9 oppose such a measure. My simple understanding of our
10 rules is in some ways we function as co-trustees and
11 public trust resources in Hawai'i.

12 First duty of a trustee is loyalty to the
13 Trust. So if there was any suggestion that individual
14 Commissioners or the Commission body as a whole might
15 somehow agree with the abolishment of the Commission,
16 I would view that as a violation of our fiduciary
17 duties.

18 So I think would be no problem for the
19 Chairperson, for instance, to just speak clearly in
20 his own testimony, if he chose to, to say that out of
21 necessity in law we would be opposed to any such.

22 CHAIR McDONALD: Thank you, Commissioner
23 Scheuer. Any other comments, questions?

24 COMMISSIONER WONG: Chair? Because some
25 of the Commissioners say the speed of the Legislature

1 is it possible that the executive director can also
2 provide testimony on behalf of the Commission to
3 inform them of what may occur if certain bills may do
4 this or that?

5 CHAIR McDONALD: I believe it's within his
6 duties.

7 COMMISSIONER WONG: Okay. Just wanted to
8 check on that just to ensure the executive director
9 could stand in place of the ad hoc committee.

10 CHAIR McDONALD: But he would be speaking
11 on behalf of the Commission.

12 COMMISSIONER WONG: Yes.

13 CHAIR McDONALD: Mr. Yee, anything to add?

14 MR. YEE: I'm sorry. My understanding is
15 generally without authority the executive director
16 doesn't necessarily speak on behalf of the Commission.
17 The executive director will speak on his own behalf as
18 the executive director of the Land Use Commission,
19 "I'm testifying that..."

20 The practical problem obviously is the
21 ability of a board or commission to meet is always
22 hindered by the Sunshine Law. And the speed of the
23 Legislature session it's impractical to have Sunshine
24 meetings to decide issues that have to be decided in
25 24 hours. So the idea of an investigative committee

1 is you can you do away with this. You can do a couple
2 of things. One is you can get some guidances Dan was
3 saying to him so he has a better understanding.

4 The second is you have certain issues that
5 people know that they're being asked to focus on so to
6 list sort of the capabilities of individual
7 Commissioners who are sort of more familiar with the
8 process and understand what's going on and can help
9 add their insights into this process.

10 The part of that, I don't know if lobbying
11 is a correct word, but when you have people who
12 understand the process, understand the people
13 involved, their involvement sort of adds to the
14 resources of the executive director himself.

15 So you can have, you know, not just the
16 testimony of the individuals to say. "I'm the
17 Chairman. I'm not here to speak on behalf of the
18 Commission. We haven't voted on this, but I've served
19 for so many years and here's my opinion what this bill
20 would do."

21 So obviously it doesn't prevent individual
22 Commissioners from simply coming forward saying: I
23 think our archaeological resources are so important
24 that doing this bill might have a negative impact on
25 that.

1 But having an investigate committee allows
2 those members who are interested and have those
3 talents to sort of be brought to bear on this in a
4 practical way. So I think that's the idea behind
5 these investigative committees. They can't go and
6 testify, "I Commissioner So and So on behalf of Land
7 Use Commission." You just haven't held a meeting on
8 that. Nevertheless, that testimony still has a weight
9 to the Legislators who listen to the testimony.

10 MS. ERICKSON: I also think that one of
11 the questions was: Could the executive officer be
12 directed to testify on behalf of the Commission? And
13 I think the answer is "yes".

14 MR. YEE: Yes. It's just a practical
15 issue of having the time to meet and the executive
16 director to do that is somewhat problematic.

17 CHAIR McDONALD: Thank you, Mr. Yee.

18 COMMISSIONER AHAKUELO: Is the Chair still
19 accepting nominations?

20 CHAIR McDONALD: Yes, I am.

21 COMMISSIONER AHAKUELO: I'd like to
22 nominate Chair McDonald and Arnold Wong.

23 CHAIR McDONALD: Thank you, Commissioner
24 Ahakuelo. (laughter). Well, I do appreciate the
25 nomination. I have been serving the longest on the

1 existing body. I'm not fully in-tuned with the
2 process. I think my participation in this
3 subcommittee and Commissioner Wong's support, because
4 my understanding Commissioner Wong has quite a bit of
5 experience in that realm. So with that I'll accept
6 the nomination.

7 COMMISSIONER WONG: I guess I will too
8 since Chair is looking at me. (Laughter).

9 CHAIR McDONALD: Scott.

10 MR. DERRICKSON: Let me just hopefully
11 allay anybody who might want to or thinking about
12 being on the subcommittee concerns. I think we're not
13 asking you to do all of the heavy lifting. The staff
14 is going to help by providing updates and information
15 about the bills that we've identified and tagged as
16 having some potential impact to the Commission or its
17 operations.

18 We'll give you a synopsis. We'll kind of
19 keep you up-to-date on when hearings might be held,
20 that kind of thing; any potential draft testimony that
21 we might be putting together so you can review it,
22 give us feedback on it.

23 So I guess we're not asking you to go in
24 blind and do a lot of work. More of it is gonna just
25 be reacting to stuff that we're going to put before

1 you. You're free to do as much as you want to, but
2 we're going to help take some of that burden of time
3 and effort off of your shoulders.

4 CHAIR McDONALD: Thank you, Scott.

5 MR. ORODENKER: Scott is actually our
6 official legislative coordinator with DBEDT. So he's
7 the one, if anybody has any questions on about a
8 measure he's the first go to person.

9 CHAIR McDONALD: Any other discussion,
10 Commissioners?

11 COMMISSIONER SCHEUER: 2? Is a committee
12 okay? Or do you even -- (off mic) Sorry.
13 Informationally was that envisioned a committee was 2
14 people?

15 MR. ORODENKER: As many as --

16 MS. ERICKSON: It's a quorum.

17 CHAIR McDONALD: I'd be fine with 1.
18 (Commissioners laughter)

19 COMMISSIONER WONG: The Chair's
20 volunteering.

21 CHAIR McDONALD: If anybody is interested,
22 you know, want to step up and assist myself and
23 Arnold, we're all in support of that. (Pause). So is
24 that an actual motion by Commissioner Ahakuelo?

25 COMMISSIONER AHAKUELO: Yes. My motion is

1 to nominate Chairman Chad McDonald and Vice-Chair
2 Arnold Wong to serve on the Legislative Subcommittee.

3 CHAIR McDONALD: I'll just go through the
4 vote. We have a first by Commissioner Ahakuelo,
5 second by Commissioner Aczon. I guess we'll do this
6 by voice vote. All those in favor say aye. "Aye".
7 Any opposed? (no response)

8 I guess the last item on the agenda.
9 Commissioners, I appreciate your time. Staff, I
10 appreciate your time and support and OP and Mr. Yee,
11 thank you for your comments. Okay. With that we're
12 adjourned. (gavel)

13

14

15 (The proceedings were adjourned at 9:21 a.m.)

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17 --oo00oo--

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C E R T I F I C A T E

I, HOLLY HACKETT, CSR, RPR, in and for the State of Hawai'i, do hereby certify;

That I was acting as court reporter in the foregoing LUC matters on the 23rd day of January 2015;

That the proceedings were taken down in computerized machine shorthand by me and were thereafter reduced to print by me;

That the foregoing represents, to the best of my ability, a true and correct transcript of the proceedings had in the foregoing matters.

DATED: This_____ day of_____2015

HOLLY M. HACKETT, HI CSR #130, RPR #5910
Certified Shorthand Reporter